

REMARKS

The present patent application has been reviewed in light of the office action, dated June 6, 2005, in which claim 25 is objected to due to informalities. Claims 18-19, 21, and 23-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Beckert et al., U.S. Patent No. 6,202,008 (hereinafter "Beckert"). Claims 20 and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Beckert in view of Kagle et al., U.S. Patent No. 6,601,056 (hereinafter "Kagle"). Reconsideration of the above-referenced patent application in view of the foregoing amendment and following remarks is respectfully requested.

Claims 18-36 are pending. Claims 18-26 have been amended. Claims 27-36 have been added.

Claim 25 has been amended to correct the informalities pointed out by the Examiner. It is asserted that no prosecution history estoppel results from this amendment.

Rejections under 35 U.S.C. § 102(b)

Claims 18-19, 21, and 23-24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Beckert. However, Beckert does not disclose "an optical media reading device" including "a memory comprising a built-in program for processing video and audio operations" as claimed in amended claim 1. Therefore, independent claim 18 and the claims that depend from it are believed to patentably distinguish from the cited patent. It is, therefore, respectfully requested that the Examiner withdraw the rejection as to these claims.

It is noted that claimed subject matter may be patentably distinguished from the cited patent for additional reasons; however, the foregoing is believed to be sufficient.

Rejections under 35 U.S.C. § 103(a)

Claims 20 and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Beckert in view of Kagle. However, because neither Beckert nor Kagle disclose the claim elements discussed above, even if there was a suggestion or teaching to combine the patents, and Assignee respectfully submits that there is no such teaching or suggestion, the resulting combination would still lack at least one element of the rejected claims. Therefore, claim 18 and the rejected claims that depend from it are believed to patentably distinguish from the cited patents. It is, therefore, respectfully requested that the Examiner withdraw the rejection as to these claims.

It is noted that claimed subject matter may be patentably distinguished from the cited patents for additional reasons; however, the foregoing is believed to be sufficient. Likewise, it is noted that the Assignee's failure to comment directly upon any of the positions asserted by the Examiner in the office action does not indicate agreement or acquiescence with those asserted positions.


CONCLUSION

In view of the foregoing, it is respectfully asserted that all of the claims pending in the present patent application are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500. Reconsideration of the present patent application and early allowance of all the claims is respectfully requested. Please charge any underpayments or credit any overpayments to deposit account no. 50-3703.

Respectfully submitted,

Dated: _____

12/6/05




Michael J. Willardson
Reg. No. 50,856

Berkeley Law and Technology Group, LLC
1700 NW 167th Place, Suite 240
Beaverton, OR 97006

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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Name of Person Transmitting Correspondence



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12/6/05